

HB 1079 - H AMD 170

By Representative Taylor

NOT CONSIDERED 04/22/2011

1 On page 24, after line 8, insert the following:

2 **"Sec. 33.** RCW 29A.40.091 and 2010 c 125 s 1 are each amended to
3 read as follows:

4 (1) The county auditor may not mail ballots to first time voters.
5 First time voters must provide the county auditor with documented
6 proof of citizenship before they are issued a ballot. Documented
7 proof of citizenship includes:

8 (a) A driver's license number or government issued identification
9 if citizenship is indicated;

10 (b) A photocopy of a birth certificate;

11 (c) A passport; or

12 (d) Naturalization documents or a certificate of naturalization.

13 (2) Service and overseas voters are exempt from subsection 1 of
14 this section.

15 (3) Notwithstanding subsection (1) of this section, the county
16 auditor shall send each voter a ballot, a security envelope in which
17 to seal the ballot after voting, a larger envelope in which to return
18 the security envelope, a declaration that the voter must sign, and
19 instructions on how to obtain information about the election, how to
20 mark the ballot, and how to return ((it)) the ballot to the county
21 auditor.

22 (4) The ((instructions that accompany a ballot for a partisan
23 primary must include instructions for voting the applicable ballot
24 style, as provided in chapter 29A.36 RCW. The voter's name and
25 address must be printed on the larger return envelope, which must also
26 contain a declaration by the voter reciting his or her qualifications
27 and stating that he or she)) voter must swear under penalty of perjury

1 that he or she meets the qualifications to vote, and has not voted in
2 any other jurisdiction at this election(~~(, together with a summary of~~
3 ~~the penalties for any violation of any of the provisions of this~~
4 ~~chapter)~~). The declaration must clearly inform the voter that it is
5 illegal to vote if he or she is not a United States citizen; it is
6 illegal to vote if he or she has been convicted of a felony and has
7 not had his or her voting rights restored; and(~~(, except as otherwise~~
8 ~~provided by law,~~) it is illegal to cast a ballot or sign a return
9 envelope on behalf of another voter. The (~~(return envelope)~~) ballot
10 materials must provide space for the voter to indicate the date on
11 which the ballot was voted (~~(and for the voter)~~), to sign the (~~(oath.~~
12 ~~It must also contain a space so that the voter may include)~~)
13 declaration, and to provide a telephone number. (~~(A summary of the~~
14 ~~applicable penalty provisions of this chapter must be printed on the~~
15 ~~return envelope immediately adjacent to the space for the voter's~~
16 ~~signature. The signature of the voter on the return envelope must~~
17 ~~affirm and attest to the statements regarding the qualifications of~~
18 ~~that voter and to the validity of the ballot. The return envelope may~~
19 ~~provide secrecy for the voter's signature and optional telephone~~
20 ~~number.)~~)

21 (5) For overseas and service voters, the signed declaration on the
22 return envelope constitutes the equivalent of a voter registration for
23 the election or primary for which the ballot has been issued. Return
24 envelopes for overseas and service voters must enable the ballot to be
25 returned postage free if mailed through the United States postal
26 service, United States armed forces postal service, or the postal
27 service of a United States foreign embassy under 39 U.S.C. Sec. 3406.

28 (6) The voter must be instructed to either return the ballot to
29 the county auditor (~~(by whom it was issued or attach sufficient first-~~
30 ~~class postage, if applicable, and)~~) no later than 8:00 p.m. the day of
31 the election or primary, or mail the ballot to the (~~(appropriate)~~)
32 county auditor with a postmark no later than the day of the election
33 or primary (~~(for which the ballot was issued)~~).

34

1 (~~If the county auditor chooses to forward ballots, he or she must~~
2 ~~include with the ballot a clear explanation of the qualifications~~
3 ~~necessary to vote in that election and must also advise a voter with~~
4 ~~questions about his or her eligibility to contact the county auditor.~~
5 ~~This explanation may be provided on the ballot envelope, on an~~
6 ~~enclosed insert, or printed directly on the ballot itself. If the~~
7 ~~information is not included, the envelope must clearly indicate that~~
8 ~~the ballot is not to be forwarded and that return postage is~~
9 ~~guaranteed.))"~~

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11 Renumber the remaining sections consecutively and correct any
12 internal references accordingly.

13

14 Correct the title.

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EFFECT: Requires first time voters to provide documented proof of citizenship before they are issued a ballot; clarifies language regarding the ballot envelop instructions; requires return envelopes for overseas and service voters to be postage free in compliance with federal law; and removes language regarding forwarding of ballots.

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